IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
Civil Application No.2042 of 2004
in
Writ Petition No.5258 of 2003

Tasgaon Taluka Sahakari Sakhar Karkhana Ltd. .. Applicants

Vs.

Maharashtra State co-op.Bank Ltd. & Ors. .. Respondents

--

Shri R.V.More for the applicants.

Shri Y.R.Naik for respondent No.1.

Shri M.S.Karnik for Respondent Nos.2 to 5.

--

CORAM : R.M.S.KHANDEPARKAR, J

DATED : 5th NOVEMBER, 2004.

P.C.

1. Taken up on board on request.

2. By an order dated 15th October, 2004, while allowing the applicants/petitioners to dispose of the sugar, they were directed to deposit the proceeds received from the sale of the sugar in the Court. The deposit was required to be made within three days from

the receipt of the amount. It appears that the demand drafts in relation to the amount to be deposited have been issued in the name of "The Registrar General, High Court, Appellate Side", however, the Account of the High Court is in the name of "The Registrar, High Court, A.S., Bombay". It is to be noted that though in the last year the post of Registrar General has been created, however, the Account continues to be in the name of the Registrar, High Court, A.S., Bombay, till this date. On account of the discrepancy in the name, the Registry has refused to accept the said demand drafts. The learned advocate for the petitioners has explained that in case the demand drafts are returned for carrying necessary changes therein, it would involve cancellation charges as well as further expenditure and delay in deposit of the amount. In the circumstances, at the request of the learned advocate for the petitioners, office of the Registrar General can endorse those demand drafts in favour of the Registrar, High Court, A.S., Bombay, consequent to the order to be passed in that regard by this Court.

3. Considering the facts and circumstances of the case therefore, in order to enable the Registry to deposit the said demand drafts in the account of the

Registrar, High Court, A.S., it is necessary that the demand drafts should be issued in the name of Registrar. The office of the Registrar General should take necessary steps to endorse the said demand drafts in favour of the Registrar, High Court, A.S., Bombay and the same can be done by addressing a letter in that regard to the Accounts Section to enable the High Court to credit the said amount in the account of the Registrar, High Court, A.S., Bombay. Order accordingly.